In the High Court of Punjab and Haryana, Chandigarh.

CWP No. 17432 of 2006

Date of Decision: 3.11.2006

Gandharav Sain Sharma

....Petitioner

Versus

State of Punjab and others.

....Respondents.

Coram:- Hon'ble Mr.Justice J.S. Khehar.
Hon'ble Mr. Justice S.D. Anand.

Present: Mr. V.K. Shukla, Advocate
for the petitioner.

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J.S. Khehar, J. (Oral).

Through the instant writ petition, the petitioner who sought voluntary retirement after completion of 20 years of service w.e.f. 30.4.2005, seeks the release of his retiral benefits in the nature of pension, gratuity, provident fund, payments due under the Group Insurance Scheme etc.. On the same issue, the petitioner is stated to have issued a demand notice dated 18.9.2006 (Annexure P-4). It is, however, pointed out, that no decision has been taken thereon till date.

Learned counsel for the petitioner states, that the petitioner will be satisfied, if the instant writ petition is disposed of with a direction to respondent No.2 i.e. the Director, Health and Family Welfare, Punjab, requiring him to take a final decision on the aforesaid demand notice dated 18.9.2006 (Annexure P-4).

In view of the above, without going into the merits of the claim

raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.2 i.e. the Director, Health and Family Welfare, Punjab, to take a final decision on the demand notice dated 18.9.2006 (Annexure P-4) by passing a well reasoned speaking order, within three months from the date of receipt of a certified copy of this order. In case, the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to him within a further period of one month. It is, however, clarified that the petitioner shall be entitled to arrears limited to a period of three years and two months preceding the date of filing of the instant writ petition. The instant writ petition was filed on 2.11.2006.

Disposed of accordingly.

Order dasti on payment of usual charges.

(J.S. Khehar)
Judge.

(S.D. Anand)
Judge.

3.11.2006
sk.